

STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
OF WATER RIGHT**

For filing with the Department of Ecology or with County Conservancy Boards

**A NON-REFUNDABLE MINIMUM FEE OF \$50.00 PAYABLE TO THE DEPARTMENT OF  
ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☐ Add purpose(s) of use  
☐ Change point(s) of diversion/withdrawal  
☒ Add point(s) of diversion/withdrawal  
☒ Change/transfer place of use  
☐ Other (i.e. consolidation, intertie, trust water)

Explain: Add points of withdrawal and change place of  
use to serve new gravel mine sites, phased over time  
as market conditions allow.

**FOR OFFICE USE ONLY**

CHANGE No. CG1-02213C WRIA 3 F  
DATE ACCEPTED 10 / 21 / 08 BY AK  
FEE \$ 50- REC'D 10 / 21 / 08  
CHECK No. 112907  
ECY Coding: 001-002-WR10285-000011  
SEPA: ☒ Exempt ☐ Not exempt  
RET 10/30/08

\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\*

**1. Applicant Information:**

|   |                                   |                                 |
|---|-----------------------------------|---------------------------------|
| APPLICANT/BUSINESS NAME<br><b>CONCRETE NOR'WEST, Division of Miles Sand &amp; Gravel Co,<br/>Inc.</b> | PHONE NO.<br><b>(360)757.3121</b> | FAX NO.<br><b>(360)757.3816</b> |
| ADDRESS<br><b>P.O. BOX 280</b>  |                                   |                                 |
| CITY<br><b>MT. VERNON</b>   | STATE<br><b>WA</b>                | ZIP CODE<br><b>98273</b>        |
| CONTACT NAME (IF DIFFERENT FROM ABOVE)<br><b>Brad Barton</b>  |                                   |                                 |
| ADDRESS<br><b>same</b>  |                                   |                                 |
| CITY<br><b>same</b>   | STATE<br><b>same</b>              | ZIP CODE<br><b>same</b>         |

**2. Water Right Information:**

|  |   |
|--|---|
| WATER RIGHT OR CLAIM NUMBER<br><b>G1-02213C</b>  | RECORDED NAME(S)<br><b>Whidbey Construction Company</b> |
| DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                  |   |
| IF NO, PROVIDE OWNER(S) NAME and ADDRESS:  |   |
| HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO |   |

**Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.**

**See Exhibit A:** letter from Michael T. Crawford, dated July 19, 2006.

**FOR OFFICE USE ONLY**

APP. NO. \_\_\_\_\_ PERMIT NO. \_\_\_\_\_ CERT. NO. \_\_\_\_\_ CERT. OF CHANGE NO. \_\_\_\_\_



3. Point(s) of Diversion/Withdrawal:

A. Existing

| SOURCE | NO. | ¼  | ¼  | SEC. | TWP. | RGE. | PARCEL #       | WELL TAG # |
|--------|-----|----|----|------|------|------|----------------|------------|
| WELL   |     | SW | NW | 26   | 33N  | 01E  | 13326 430-0300 | AKM 868    |

See Exhibit B: Oak Harbor Mine Site well logs: original well (November 1, 1952); replacement well 214051 (July 10, 2005).

B. Proposed

| SOURCE  | NO | ¼ | ¼ | SEC. | TWP. | RGE. | PARCEL # | WELL TAG # |
|---|----|---|---|------|------|------|----------|------------|
| Additional points of withdrawal within the boundaries of the Boulder Hill Mine Site |    |   |   | 7    | 33N  | 02E  | multiple |            |
| Additional points of withdrawal within the boundaries of the Taylor Road Mine Site  |    |   |   | 18   | 33N  | 02E  | multiple |            |

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?  
EXISTING: X YES ☐ NO      PROPOSED: X YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

4. Purpose of Use:

A. Existing

| PURPOSE OF USE                              | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|---|------------|------------|---------------|
| Commercial industrial and domestic multiple | 350GPM     | 140AFY     | continuous    |

B. Proposed

| PURPOSE OF USE | GPM or CFS | ACRE-FT/YR | PERIOD OF USE |
|----------------|------------|------------|---------------|
| No change      |            |            |               |

5. Place of Use:

A. Existing

|   |    |      |      |      |               |                |            |
|---|----|------|------|------|---------------|----------------|------------|
| LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:   |    |      |      |      |               |                |            |
| Oak Harbor Mine Site: That portion of the S ½ of NW ¼ of the NW ¼ of Section 26, Township 33N, Range 1E., W.M., lying west of State Highway 1 D, formerly a county road running North and South through said subdivision, EXCEPT roads. |    |      |      |      |               |                |            |
| ¼   | ¼  | SEC. | TWP. | RGE. | COUNTY        | PARCEL #       | # OF ACRES |
| NW  | NW | 26   | 33N  | 01E  | Island County | 13326 430-0300 |            |

DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? X YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

B. Proposed

|  |   |      |      |      |               |          |            |
|--|---|------|------|------|---------------|----------|------------|
| LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:  |   |      |      |      |               |          |            |
| #1 – Boulder Hill Mine Site: On the property within the boundaries of the Boulder Hill Mine Site located in portions of the NE ¼ of the NW ¼ and the W ½ of the NE ¼ of Section 7, Township 33 N, Range 2 E., W.M. |   |      |      |      |               |          |            |
| #2 – Taylor Road Mine Site: On the property within the boundaries of the Taylor Road Mine Site located in portions of the SE ¼ of Section 18, Township 33 N, Range 2 E, W.M.                                       |   |      |      |      |               |          |            |
| ¼  | ¼ | SEC. | TWP. | RGE. | COUNTY        | PARCEL # | # OF ACRES |
|  |   | 7    | 33N  | 02E  | Island County | Multiple |            |
|  |   | 18   | 33N  | 02E  | Island County | Multiple |            |

DO YOU OWN ALL THE LANDS IN THE PROPOSED PLACE OF USE? X YES ☐ NO – IF NO, PROVIDE OWNER(S) NAME:

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.



**See Exhibit C: Study Area Map showing locations of existing and proposed facilities**

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
☐ YES ☒ NO – IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S):

**6. Remarks and Other Relevant Information:**

The location of additional points of withdrawal at the Boulder Hill Site and Taylor Road Site will be determined based on results from test wells on the properties. The proposed additional points of withdrawal are within the same deep aquifer, Aquifer C, as the existing well at the Oak Harbor Site, as described in the attached report by Robinson, Noble & Saltbush. See Exhibit D: Hydrogeologic Characterization of the North Whidbey Area in Support of the Proposed Change to Add Points of Withdrawal and Places of Use for Water Right G1-\*02213C.

The change and transfer of the water right from our Oak Harbor facility (current place of use and point of withdrawal) to our Boulder Hill and Taylor Road facilities (the proposed additional points of withdrawal and places of use) will evolve over a period of several years. The timing of our move from Oak Harbor to the Boulder Hill site and the Taylor Road site will depend upon market factors. We have permits and approvals in place for the Boulder Hill facility and are in the process of obtaining permits and approvals for the Taylor Road facility. We plan to begin construction of test wells when we receive Ecology's approval of this application for change and transfer of this water right G1-\*02213C, and we anticipate phasing our transition to the Boulder Hill or Taylor Road facility as soon as practicable after this change application is approved by Ecology.


IF FOR SEASONAL OR TEMPORARY, START DATE \_\_\_\_/\_\_\_\_/\_\_\_\_ END DATE \_\_\_\_/\_\_\_\_/\_\_\_\_

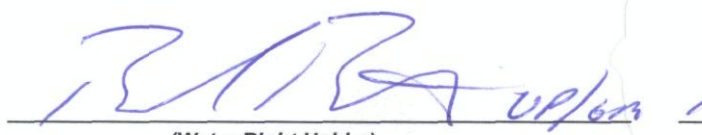
Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.


Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

**7. Signatures:**

*I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.*

 up/6m 10 / 2 / 2008  
(Applicant) (Date)

 up/6m 10 / 2 / 2008  
(Water Right Holder) (Date)

 up/6m 10 / 2 / 2008  
(Land Owner(s) of Existing Place of Use) (Date)

**IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.**

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- ☐ APPLICATION FEE NOT ENCLOSED      ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED      ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

**STAFF:** \_\_\_\_\_ **DATE:** \_\_\_\_/\_\_\_\_/\_\_\_\_

# RECEIPT

**Department of Ecology (4610)  
PO Box 47611  
Olympia, WA 98504-7611  
(360) 407-7095**

Receipt Number  
Manual Receipt

09CJ007975

Document Number **461P0759CJ** Date **10/22/2008** FM **16**

|               |                               |              |
|---------------|-------------------------------|--------------|
| Remitter Name | CONCRETE NORWEST              | Receipt Name |
|               | MILES SAND AND GRAVEL COMPANY |              |

Check/Draw Number 112907

Document Amount      **50.00**

Method of Payment **Check**

Comment Description **WATER RIGHT G1-02213C**

| REF NR | DOC NR | REF DOC SFX | INV NR | ID NR | SUB ID NR | T C | R | FUND | MAJ GRP | MAG SRC | SUB SRC | CNTY CLS | WORK | PIC | AI | ORG | PRJ | SUB PRJ | PRJ PHS | SUB OBJ | SUB SUB OBJ | VAR GL | SUB DR | SUB SID CR | ALLOC AMT |
|--------|--------|-------------|--------|-------|-----------|-----|---|------|---------|---------|---------|----------|------|-----|----|-----|-----|---------|---------|---------|-------------|--------|--------|------------|-----------|
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CONCRETE NOR'WEST  
DIV. OF MILES SAND & GRAVEL  
P.O. Box 280  
Mount Vernon, WA 98273  
(360) 757-3121



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DEPT. OF ECOLOGY  
FISCAL & BUDGET

Department of Ecology  
Cashiering Unit  
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Olympia, WA 98504-7611

